

FISHMAN MCINTYRE LEVINE SAMANSKY P.C.

STANLEY P. FISHMAN*
CHRISTOPHER E. MCINTYRE > +
MITCHELL B. LEVINE*
SCOTT D. SAMANSKY**
CASSANDRA A. WILLOCK*
SCOTT A. GROSSMAN <
PETER J. MURANO, III*
KEVIN J. DONNELLY *
ANN MARIE F. KANE*
MARK N. KEDDIS*
CAROLINE PAPADATOS <

NEW YORK OFFICE
521 FIFTH AVENUE, 17TH FLOOR
NEW YORK, NY 10019
Tel (212) 461-7190
Fax (973) 560-0060

(Mail and Overnight Delivery services available to New Jersey offices)

Application denied.

SO ORDERED.


Philip M. Halpern
United States District Judge

June 9, 2023

Dated: White Plains, New York
June 12, 2023

Via ECF

Hon. Philip M. Halpern, U.S.D.J.
Southern District of New York
300 Quarropas Street, Room 530
White Plains, New York 10601

Re: Arnold Norman v. Shop-Rite Supermarkets, Inc. et als.
Case No.: 7:23-cv-03166 (PMH)
Our File No.: RSI-164

Dear Judge Halpern:

This office represents defendants in the above referenced matter. This case is presently scheduled for an Initial Conference before Your Honor on June 14, 2023.

As Your Honor will recall, defendants removed this case from the Supreme Court of the State of New York, County of Rockland to the Southern District of New York, on or about April 17, 2023, pursuant to 28 U.S.C. § 1332(a). This office duly notified the Clerk of Supreme Court, Rockland County of the removal shortly thereafter.

However, by “Court Notice” dated May 25, 2023, a copy of which is annexed hereto for Your Honor’s reference, the Honorable Amy Puerto, J.S.C., to whom this matter was assigned in state court, has “require[d] an Order removing this case to Federal Court.” Notably, our office provided Judge Puerto with “filed” versions of the Notice of Removal with supporting documentation (i.e., DE #1 through DE #3), as well as the notice filed with the Clerk of Supreme Court, Rockland County (via NYSCEF). Nevertheless, Judge Puerto has made clear that such documentation is insufficient.

As such, defendants respectfully request Your Honor’s indulgence in reviewing the proposed Order annexed hereto. If the same meets with Your Honor’s approval, kindly provide a So-Ordered version to the parties so that this office may upload the same to NYSCEF in satisfaction of the “Court Notice” issued by Judge Puerto. Please feel free to contact the undersigned should Your Honor need any additional information in this regard.

Respectfully submitted,



Mitchell B. Levine, Esq.
mitch@fishmanmcintyre.com

Encl.

cc: Matthew F. Rice, Esq. (via ECF)